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6 **UNITED STATES DISTRICT COURT**  
7 **SOUTHERN DISTRICT OF CALIFORNIA**

8 LEE J. WARE, an individual, and  
9 IRMA WARE, an individual,

10 Plaintiff,

11 vs.

12 BAYVIEW LOAN SERVICING,  
13 LLC, AZTEC FORECLOSURE  
14 CORPORATION, and DOES 1-100,  
15 inclusive,

16 Defendants.

CASE NO. 13-CV-1310 JLS (NLS)

**ORDER: (1) CONTINUING  
HEARING DATES; AND (2)  
SETTING BRIEFING SCHEDULES**

(ECF Nos. 4, 6)

17 Presently before the Court are Plaintiffs Lee J. Ware and Irma Ware's  
18 ("Plaintiffs") *ex parte* motion for a temporary restraining order or stay and an order to  
19 show cause why a preliminary injunction should not issue, (ECF No. 4), and Defendant  
20 Bayview Loan Servicing, LLC's ("Defendant") motion to dismiss, (ECF No. 6). As  
21 stipulated by the parties at the June 27, 2013 hearing on Plaintiffs' motion for a  
22 temporary restraining order, the Court **ORDERS** that:

23 (1) The hearing on Plaintiffs' motion for a temporary restraining order or stay  
24 and or order to show cause why a preliminary injunction should not issue shall be  
25 continued to August 15, 2013 at 1:30 p.m.;

26 (2) The Court's June 13, 2013 Order shall remain in effect until the continued  
27 August 15, 2013 hearing on Plaintiffs' motion;

28 (3) Parties shall file their respective briefs for the August 15, 2013 hearing on  
or before August 5, 2013;

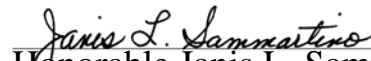
1 (4) The hearing on Defendant's motion to dismiss shall be continued from  
2 August 8, 2013 at 1:30 p.m. to August 15, 2013 at 1:30 p.m.;

3 (5) Plaintiffs' opposition to Defendant's motion to dismiss shall be filed on  
4 or before August 5, 2013;

5 (6) Defendant's reply in support of Defendant's motion to dismiss shall be  
6 filed on or before August 12, 2013;

7 **IT IS SO ORDERED.**

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9 DATED: June 28, 2013

10   
11 Honorable Janis L. Sammartino  
12 United States District Judge  
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